

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

Mary Hersey,  
Plaintiff

v.

Case No. 11-cv-207-SM

WPB Partners, LLC,  
Defendant

**O R D E R**

By operation of the provisions of 11 U.S.C. § 362,  
defendant's counterclaim is automatically stayed.

The bankruptcy trustee in plaintiff's Bankruptcy Case, No. 11-13342-JMD, United States Bankruptcy Court, District of New Hampshire, shall file a motion for substitution of party pursuant to Fed. R. Civ. P. 17, if the trustee chooses to pursue the case, or an appropriate pleading if not, on or before January 13, 2012. Failure to respond will result in a dismissal without prejudice for failure to prosecute.

Attorney Somma's Notice of Attorney Withdrawal, Doc. No. 29, is treated as a motion for leave to withdraw (L.R. 83.6(d)), which motion is granted.

**SO ORDERED.**

  
Steven J. McAuliffe  
United States District Judge

December 5, 2011

cc: Mary Hersey, pro se  
Edmond J. Ford, Esq.  
Lawrence Sumski, Trustee